

RCE 1283
#11/RCE
10-21-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Lambert DANNER et al
Title: SPECTRAL ELLIPSOMETER HAVING A REFRACTIVE
ILLUMINATING OPTICAL SYSTEM
Appl. No.: 09/893,709
Appl. Filing Date: 06/29/2001
Examiner: S. Sugarman
Art Unit: 2873

REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Mail Stop RCE
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

1. Submission required under 37 C.F.R. §1.114: (check items that apply)

a. Previously submitted:

- ☐ Please enter and consider the amendment/reply previously filed on ____.
- ☐ Please consider the Affidavit(s)/Declaration(s) previously filed on ____ but not considered.
- ☐ Please consider the arguments in the Appeal Brief or Reply Brief under 37 C.F.R. § 1.116 previously filed on ____.
- ☐ Other ____.

b. Enclosed are:

/07/2003 EFLORES 00000047 09893709

FC:1801
FC:1460

750.00 OP
130.00 OP

Match and Return

- ☐ Affidavit(s)/Declaration(s).
- ☒ Information Disclosure Statement.
- ☒ Form PTO/SB/08 with copies of 34 listed reference(s).
- ☐ Other .

Miscellaneous:

- ☒ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of 3 months.

The filing fee is calculated below:

	Claims as Amended		Previously Paid For		Extra Claims Present		Rate		Fee Totals
RCE Fee 1.17(e)							\$750.00		\$750.00
Total Claims:	<u>9</u>	X	<u>20</u>	=	<u>0</u>	x	\$18.00	=	\$0.00
Independents:	<u>1</u>	X	<u>3</u>	=	<u>0</u>	x	\$84.00	=	\$0.00
First presentation of any Multiple Dependent Claims:						+	\$280.00	=	\$0.00
CLAIMS FEE TOTAL:									\$750.00

- ☐ Applicant hereby petitions for an extension of time under 37 C.F.R. § 1.136(a) for the total number of months checked below:

<input type="checkbox"/> Extension for response filed within the first month:	\$110.00	\$0.00
<input type="checkbox"/> Extension for response filed within the second month:	\$410.00	\$0.00
<input type="checkbox"/> Extension for response filed within the third month:	\$930.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,450.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fifth month:	\$1,970.00	\$0.00
EXTENSION FEE TOTAL:		\$0.00
CLAIMS AND EXTENSION FEE TOTAL:		\$750.00
<input type="checkbox"/> Small Entity Fees Apply (subtract 1/2 of above):		\$0.00
<input checked="" type="checkbox"/> Suspension of action requested under 37 C.F.R. § 1.103(c)		\$130.00
TOTAL FEE:		\$880.00

☐ Please charge Deposit Account No. 19-0741 in the amount of \$880.00. A duplicate copy of this transmittal is enclosed.

☒ A check in the amount of \$880.00 to cover the filing fee is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit

[X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date: August 6, 2003

By



Glenn Law
Attorney for Applicant
Registration No. 34,371

FOLEY & LARDNER

Customer Number: 22428



22428

PATENT TRADEMARK OFFICE

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